



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE JAMES M. ALBIS
NINETY-NINTH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING
ROOM 5005
CAPITOL: (860) 240-8585
TOLL FREE: (800) 842-8267
FAX: (860) 240-0206
E-MAIL: James.Albis@cga.ct.gov

VICE CHAIR
ENVIRONMENT COMMITTEE

MEMBER
FINANCE, REVENUE AND BONDING COMMITTEE
JUDICIARY COMMITTEE

TESTIMONY

**AN ACT CONCERNING AN AGREEMENT AMONG THE STATES TO ELECT THE
PRESIDENT OF THE UNITED STATES BY NATIONAL POPULAR VOTE**

HB 5126

Senator Musto, Representative Jutila, distinguished Vice Chairmen and Ranking Members, and honorable members of the Government Administration and Elections Committee, my name is James Albis, State Representative for the 99th district in East Haven. I'm here to express my enthusiastic support for HB 5126.

Simply put, AN ACT CONCERNING AN AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT OF THE UNITED STATES BY NATIONAL POPULAR VOTE, will guarantee the Presidency to the candidate who receives the most popular votes in the entire United States. This bill ensures that *every* vote, in *every* state, will matter in every presidential election.

Under the U.S. Constitution, the states have exclusive power to allocate their electoral votes within the Electoral College, and may change their state laws concerning how they are awarded at any time. Under the National Popular Vote bill, Connecticut's seven electoral votes would be awarded to the presidential candidate who receives the most popular votes in all 50 states and the District of Columbia. The bill would not take effect until enacted, in identical form, by states possessing a majority of the electoral votes—that is, enough electoral votes to elect a President (270 of 538).

To date, the bill has been enacted by 10 jurisdictions possessing 136 electoral votes—just over 50% of the 270 necessary to activate it. Just last year, Rhode Island enacted the legislation, joining fellow New England states Vermont and Massachusetts.

This bill would exercise Connecticut's right to determine how our electoral votes should be awarded, replacing our own winner-take-all statute. State winner-take-all statutes have permitted candidates to win the Presidency without winning the most popular votes nationwide in 4 of our 57 elections – 1 in 14 times. A shift of 59,393 votes in Ohio in 2004 would have elected John Kerry despite President Bush's nationwide lead of over 3,000,000 votes. A shift of 214,390 votes in 2012 would have elected Mitt Romney despite President Obama's nationwide lead of almost 5,000,000 votes.

The most important consequence of state winner-take-all statutes is that presidential candidates have no reason to pay attention to the concerns of voters in states where they are comfortably ahead or hopelessly behind. Four out of five Americans were ignored in the 2012 presidential election. After being nominated, President Obama conducted campaign events in just eight closely divided battleground states, and Romney did so in only 10. These 10 states received 98% of the \$940 million spent on campaign advertising. Forty states were mere spectators.

But this bill is about much more than Presidential campaign stops.

Attention paid to swing states at the expense of "safe" states like Connecticut does not end on Election Day. Using a newly compiled database that includes all federal project grants from 1996-2008 to examine the distribution of grant money across the 50 states, recent research (Hudak) cited in my written testimony clearly demonstrates that through the strategic use of discretion, presidents influence the distribution of federal funds, essentially using them as a campaign resource.

Notably, since our state's efforts to pass this important election reform in 2009, our UConn Health Center lost a \$100 million grant for renovation to Ohio State University (Altamari). The cited research (Hudak) suggests that's not an accident. It suggests over all, swing states see a benefit of 5.7% more grant dollars than other states. In fact, in the two years leading up to a presidential election, swing states will see an 11.5% increase in the number of federal grants and an 8.2% increase in the number of grant dollars compared to the two years after an election.

The prevalence of winner-take-all rules means that presidential candidates don't face a national electorate, but instead a small number of state-level electorates. "The small size of the truly competitive presidential electorate makes an electoral strategy that uses distribution of government funds a feasible and appealing tactic."

National Popular Vote is also a protection against voter fraud schemes.

Those concerned about wide-spread voter fraud will be glad to know the bill would dilute the effect of these purported plots. Consider the 2000 election and the state of Florida. No matter the cause for the close vote count, the problem in Florida wasn't that the count was so close: the problem was that so much hung in the balance—29 electoral votes—because of their winner-take-all rule.

Incentives for fraud in the current system are greater because it is easier to impact the overall outcome through fraud or illegal behavior in one state, county or city, than by an organized effort around the country trying to influence the outcome of the total national popular vote.

National Popular Vote preserves states' administration of elections.

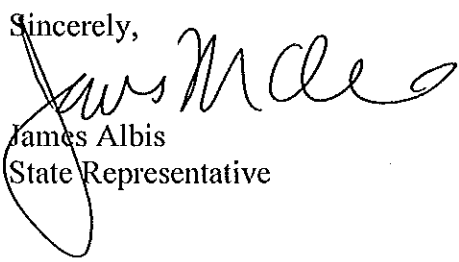
Opponents may argue that this will somehow incur a national election or federal ballot, and that is simply unfounded. States are currently entrusted to administer their elections. They decide what documentation is needed to vote, determine where the votes happen, what their ballots look like, and they are responsible for counting their votes. States determine the thresholds for recounts, and the procedures for those recounts. This bill doesn't seek to change that.

Fundamentally, this bill is about equality. I was initially attracted to the bill's overriding goal of counting everyone's vote equally, regardless of where they happen to live. However the more I have learned about the unintended consequences of winner-take-all statutes, the more I have recognized the need for reform. And to realize that the tool for reform is not only available, but constitutionally granted to our state gives me great hope that we can address these problems.

2013 is the time for National Popular Vote in Connecticut. The work began right here in this committee in 2009, went through the House and ran out of time in the Senate. As other states see the introduction of reforms that would even further game the Electoral College system, Connecticut can continue the momentum toward fairness in that institution which our neighbors in Massachusetts and New Jersey have already adopted.

Thank you for your time and consideration of this important matter. I look forward to your questions about the bill before us.

Sincerely,



James Albis
State Representative

Altimari, Daniela. "UConn Loses Out on Critical Grant for Health Center."
Hartford Courant. December 29, 2010.

Hudak, John Joseph. 2011. *The Politics of Federal Grants: Presidential Influence over the Distribution of Federal Funds*. Center for the Study of Democratic Institutions. Working Paper # 01-2011.
www.vanderbilt.edu/csdi/research/CSDI-WP-01-2011.pdf